

Auth. No.: 2051-86

IL0000302

Appl. No.: 2051A-86, 1013-87, 2004A-86

March 24, 1987

Richard F. Roethe, P.E., Freeman United Coal Mining Company  
Freeman United Coal Mining Company, Fidelity Mine #11, NPDES Renewal

**AUTHORIZATION TO CONSTRUCT TO:**

Freeman United Coal Mining Company  
P.O. Box 180  
DuQuoin, Illinois 62832

Authorization is hereby granted to the above designee to construct the mine and mine refuse area described as follows:

A surface coal mining operation at the Kathleen Pit and associated coal preparation facility located on 3,076 acres in Sections 16, 17, 20, 21, 22, 23, 26, 27, 28, 29, 33 and 34 of T.6S., R.2W. in Perry County as shown on the Illinois EPA updated permit maps 1 and 2, with application log #2051A-86 and the mining operation map with application log #2004A-86.

All surface drainage from these facilities shall be routed through the sedimentation ponds with discharges 002 and 006. Discharge 005 is hereby deleted. Discharge 002 reports to Panther Creek, tributary to Beaucoup Creek, tributary to the Big Muddy River. Discharge 006 reports to Youngs Creek. Discharge 006 is granted the rainfall exemption of 35 Ill. Adm. Code 406.106(b)(3). Pursuant to 35 Ill. Admin. Code 406.203 the water quality standards of 35 Ill. Admin. Code 406.202 as they apply to sulfates, chlorides, total dissolved solids, iron and manganese shall not apply to discharges covered under this permit subject to Special Condition 10.

All refuse disposal shall be in accordance with 35 Ill. Adm. Code 405.106.

The abandonment plan shall be in accordance with 35 Ill. Adm. Code 405.109. All impoundment remaining upon abandonment must meet the requirements of 35 Ill. Adm. Code 406.106 and 406.203.

This Authorization replaces previous Construction Authorizations 6022-82, 6030-82 and 3077-85. The 26 acres, shown on the map with application log #2051A-86, were never affected and are hereby deleted.

This Authorization is issued subject to the following Condition(s). If such Condition(s) require(s) additional or revised facilities, satisfactory engineering plan documents must be submitted to this Agency for review and approval to secure issuance of a Supplemental Authorization to Construct.

EPA Region 5 Records Ctr.



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1. If any statement or representation is found to be incorrect, this permit may be revoked and the permittee thereupon waives all rights thereunder.
2. The issuance of this permit (a) shall not be considered as in any manner affecting the title of the premises upon which the mine or mine refuse area is to be located; (b) does not release the permittee from any liability for damage to person or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (c) does not take into consideration the structural stability of any units or parts of the project; and (d) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or with applicable local laws, regulations or ordinances.
3. Final plans, specifications, application and supporting documents as submitted by the person indicated on Page 1 as approved shall constitute part of this permit and are identified by Log #6022-82, 6030-82, 3077-85, 2004-86, 2051-86 and 1013-87 in the records of the Illinois Environmental Protection Agency.
4. This permit may not be assigned or transferred. Any subsequent operator shall obtain a new permit from the Illinois Environmental Protection Agency.
5. There shall be no deviations from the approved plans and specifications unless revised plans, specifications and application shall first have been submitted to the Illinois Environmental Protection Agency and a supplemental permit issued.
6. The permit holder shall notify the Environmental Protection Agency (217/782-3637) immediately of an emergency at the mine or mine refuse area which causes or threatens to cause a sudden discharge of contaminants into the waters of Illinois and shall immediately undertake necessary corrective measures as required by 35 Ill. Admin. Code 405.111. (217/782-3637 for calls between the hours of 5:00 p.m. to 8:30 a.m. and on weekends.)
7. No effluent from any mine or mine refuse area under this permit shall, alone or in combination with other sources, cause a violation of any applicable water quality standard as set out in Title 35: Environmental Protection, Subtitle C: Water Pollution, Chapter I: Pollution Control Board.
8. The termination of an NPDES discharge monitoring point or cessation of monitoring of an NPDES discharge is not authorized by this Agency until the permittee submits adequate justification to show what alternate treatment is provided or that untreated drainage will meet applicable effluent and water quality standards.
9. Initial construction activities in areas to be disturbed shall be for collection and treatment facilities only. Prior to the start of other activities, surface drainage controls shall be constructed and operated to avoid violations of the Act or Subtitle D. At such time as runoff water is collected in the sedimentation pond, a sample shall be collected and analyzed, with the results sent to this Agency to show compliance with the applicable effluent and water quality standards. Should additional treatment be necessary to meet these standards, a Supplemental Permit must be obtained. Discharge from this pond is not allowed unless applicable effluent and water quality standards are met.

10. Any of the following shall be a violation of the provisions required under 35 Ill. Admin. Code 406.203(c):

- A. It is demonstrated that an adverse effect on the environment in and around the receiving stream has occurred or is likely to occur.
- B. It is demonstrated that the discharge has adversely affected or is likely to adversely effect any public water supply.
- C. The Agency determines the permittee is not utilizing good mining practices which are applicable in order to minimize the discharge of total dissolved solids, chloride, sulfate, iron and manganese. The following concentrations are presumed achievable according to information in the application, and demonstrate the utilization of good mining practices. The Agency may require additional information to determine compliance with 35 Ill. Admin. Code 406.204 when they are exceeded.

<u>Outfall</u>	<u>Chloride in mg/l</u>	<u>Sulfate in mg/l</u>	<u>Other</u>
002,005	500	2,250	

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